

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

BHUTAN INTERNATIONAL FESTIVAL,
LIMITED and BHUTAN DRAGON EVENTS
AND FESTIVALS, LIMITED,

Plaintiffs,

-against-

EDEN PROJECT, EDEN PROJECT LIMITED,
EDEN LAB and EDENLAB LTD.,

Defendants.

17-CV-8980 (VEC)

**DECLARATION IN FURTHER
SUPPORT OF EDEN PROJECT'S
AND EDEN PROJECT'S LIMITED
MOTION TO DISMISS THE FIRST
AMENDED COMPLAINT**

Pursuant to 28 U.S.C. §1746, Tina Bingham declares:

1. I am the Company Secretary of Defendant Eden Project Limited. I am familiar with the facts herein, and I make this declaration in further support of Defendants Eden Project's and Eden Project Limited's (together, the "Eden Project Defendants") motion to dismiss the First Amended Complaint ("FAC").

2. I have reviewed the Declaration of James Fitzgerald in Opposition to the Motion to Dismiss (the "Fitzgerald Dec."), as well as the Exhibits thereto, including Exhibit 7, which purportedly shows a wire "addressed" from Mr. Fitzgerald that references "Eden Project – BhiF(...4908)." Fitzgerald Dec. at ¶ 11. The wire amount is listed as 10,000.00 (GBP), and the date is December 24. The year is not visible on the Exhibit, but would presumably be December 24, 2014.

3. Eden Project Limited has conducted a review of its accounting records and confirms that Eden Project Limited never received this wire nor any other payment from the Plaintiffs.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed in Bodelva, England, United Kingdom on May 4th, 2018.



Tina Bingham